

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KOREN RUSSELL,

Defendant.

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8:15CR163

ORDER

This matter is before the court on the joint motion to continue trial by defendant Koren Russell (Russell) (Filing No. 17). Russell seeks a continuance of the trial scheduled for October 13, 2015. Russell's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted to the extent set forth below.

**IT IS ORDERED:**

1. Russell's motion to continue trial (Filing No. 17) is granted as set forth below.
2. Trial of this matter is re-scheduled for **January 4, 2016**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **September 29, 2015, and January 4, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 29th day of September, 2015.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge